

Shipment of U. S.
property for repairs.

postage rate of 1 cent for each pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

Reproducers for sound-reproduction records for the blind or parts thereof which are the property of the United States Government, when shipped for repair purposes by an organization, institution, public library, or association for the blind not conducted for private profit, or by a blind person to an agency not conducted for private profit, or from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit, or to a blind person, may be transmitted through the mails at the rate of 1 cent per pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

Discretionary extension
of postage rate.

The Postmaster General may in his discretion extend this rate of 1 cent per pound or fraction thereof to reproducers for sound-reproduction records for the blind, or parts thereof, and, when mailed to be repaired or being returned after repair, to Braille writers and other appliances for the blind, or parts thereof, which are the property of State governments or subdivisions thereof, or of public libraries, or of private agencies for the blind not conducted for private profit, or of blind individuals, under such regulations as he may prescribe.

Mail classification.

All letters written in point print or raised characters or on sound-reproduction records used by the blind, when unsealed, shall be transmitted through the mails as third-class matter.

Approved, October 14, 1941.

[CHAPTER 438]

AN ACT

October 14, 1941

[H. R. 5202]

[Public Law 271]

To amend an Act entitled "An Act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes", approved September 19, 1918.

District of Colum-
bia minimum-wage
law, amendments.
40 Stat. 960.
D. C. Code §§ 36-401
to 36-422.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes", approved September 19, 1918, is hereby amended as follows:

Name of Board.

The name of the "Minimum Wage Board" created by said Act is hereby changed to "Minimum Wage and Industrial Safety Board".

SEC. 2. Sections 1 to 23, inclusive, of said Act are hereby designated "TITLE I—MINIMUM WAGES".

SEC. 3. Immediately after Section 23 of said Act the following is added:

"TITLE II—INDUSTRIAL SAFETY

Purpose.

"SEC. 1. The purpose of this title is to foster, promote, and develop the safety of wage earners of the District of Columbia in relation to their working conditions.

"SEC. 2. When used in this title, the following words shall have the following meanings, unless the context clearly requires otherwise:

"Employer."

"(a) 'Employer' includes every person, firm, corporation, partnership, stock association, agent, manager, representative, or foreman, or other persons having control or custody of any industrial employ-

ment, place of employment, or of any employee. It shall not include the District of Columbia or any instrumentality thereof, or the United States or any instrumentality thereof.

"(b) 'Board' means the Minimum Wage and Industrial Safety Board.

"Board."

"(c) 'Safe' and 'safety' as applied to an employment, a device, or a place of employment, including facilities of sanitation and hygiene, mean such freedom from danger to life or health of employees as circumstances reasonably permit, and shall not be given restrictive interpretation so as to exclude any mitigation or prevention of a specific danger.

"Safe" and "safety."

"(d) 'Place of employment' means any place where industrial employment is carried on: *Provided, however,* That such term shall not include the premises of any Federal or District of Columbia establishment, except to include any and all work of whatever nature being performed by an independent contractor for the United States Government or any instrumentality thereof or the District of Columbia or any instrumentality thereof.

"Place of employment."
Proviso.

"SEC. 3. The Board, in addition to its duties defined in title I shall administer the provisions of this title and shall have power to make such inspections and investigations as it may deem necessary; collect and compile statistical information; require employers to keep their places of employment reasonably safe; require employers to keep such records as it may deem advisable and to furnish the Board with complete, detailed reports relative to all accidents; determine and fix reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment; promulgate general rules and regulations based upon such standards and fix the minimum safety requirements which shall be complied with by employers within the purview of this title.

Duties of Board.

Determination of
standards of safety.

"SEC. 4. Before any rules or regulations of the Board shall become effective a public hearing shall be held by the Board for the purpose of investigating reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment, and any person interested in the matter being investigated may appear and testify. If, after investigation, the Board is of the opinion that minimum standards of safety requirements are necessary to protect or safeguard the lives or health of employees covered by this title, it may adopt and promulgate such rules and regulations as it may deem advisable, which shall become effective thirty days after they have been published at least once in two of the daily newspapers of general circulation in the District of Columbia.

Public hearing.

Adoption of rules.

"SEC. 5. Any member of the Board shall have power to administer oaths and the Board may require by subpoena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing, or at any session or any conference held by the Board. In case of disobedience to a subpoena the Board may invoke the aid of the District Court of the United States for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In the case of contumacy or refusal to obey a subpoena, the court may issue an order requiring appearance before the Board, the production of documentary evidence and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Attendance of witnesses and production of evidence.

Variations from rules.

Provido.

Director of Industrial Safety.

42 Stat. 1488.
5 U. S. C. §§ 661-674.
Ante, p. 613.

Employer to furnish safe place of employment.

To furnish required information.

Report of injury, death, or disease.

D. C. Code §§ 36-501, 36-502.

Record of employee.

Authority to examine place of employment.

Office space, etc., for Board.

Report.

Punishment for violations

Appropriations authorized.

"SEC. 6. The Board may, upon written application of any employer affected by such rule or regulation, permit variations from any provisions thereof if it shall find that the application of such provision would result in unnecessary hardship or practical difficulty: *Provided, however,* That the Board shall keep a properly indexed record of all variations permitted from any rule or regulation which shall be open to public inspection.

"SEC. 7. The Board is hereby authorized to employ a Director of Industrial Safety, who shall not be a member of the Board and whose compensation shall be fixed in accordance with the Classification Act of 1923, as amended. The Director shall perform such duties as may be prescribed by the Board in administering the provisions of this title.

"SEC. 8. (a) Every employer shall furnish a place of employment which shall be reasonably safe for employees, shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably safe and adequate to render such employment and place of employment reasonably safe.

"(b) Every employer shall furnish to the Board any information which the Board is authorized to require and shall make true and specific answers to all questions.

"(c) Every employer shall submit to the Board within ten days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury, a duplicate copy of the report provided for in section 30 of the Act of March 4, 1927 (44 Stat. 1439; U. S. C., title 33, sec. 930), as made applicable to the District of Columbia by the Act of May 17, 1928 (45 Stat. 600).

"(d) Every employer shall keep an accurate record of every person employed by him so as to be able in case of accident immediately to give an accurate record relative to same.

"SEC. 9. (a) The Board, or any officer or employee acting under its authority, shall have the authority, at any reasonable time, to enter any place where an employment covered by this title is being carried on, and to examine any structure, tool, appliance, machinery, or process used in or connected with such employment. No employer or other persons shall refuse to admit any member of the Board or its authorized representative to any such place or to permit any such examination.

"SEC. 10. The Commissioners of the District of Columbia shall furnish the Board with such office space, furniture and equipment, stationery, books, books of reference, and other supplies as are necessary for the discharge of its duties under this title.

"SEC. 11. The Board shall annually, on or before the 1st day of July, file with the Commissioners of the District of Columbia a report covering its activities under this title.

"SEC. 12. Whoever violates any of the provisions of this title, or any rules or regulations promulgated hereunder, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not more than \$300, or by imprisonment of not exceeding ninety days. Prosecutions for violations of this title shall be in the name of the District of Columbia on information filed in the police court of the District of Columbia by the corporation counsel or one of his assistants.

"SEC. 13. There is hereby authorized to be appropriated, out of the revenues for the District of Columbia, a sum not to exceed \$15,000 per annum, or so much thereof as may be necessary, for the proper administration of this title.

"SEC. 14. If any provision of this title, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

Separability.

SEC. 4. This Act shall become effective upon its approval by the President.

Effective date.

Approved, October 14, 1941.

[CHAPTER 443]

AN ACT

Relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims.

October 16, 1941

[S. 1052]

[Public Law 272]

Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of February 24, 1925, entitled "An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation" (43 Stat. 965), as amended (46 Stat. 799; U. S. C., title 28, secs. 270, 275a), is hereby reenacted and amended to read as follows:

Salaries of commissioners.

Traveling and subsistence expenses.

Retired judges recalled to active duty.

"SEC. 2. Each of the said commissioners shall devote all of his time to the duties of his office and shall receive a salary of \$7,500 per annum, payable monthly out of the Treasury. The chief justice, or any judge of the Court of Claims, may sit at any place within the United States to take evidence in any case instituted in said court. The chief justice, and any judge of the court, the commissioners, and stenographers authorized by the court, shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed \$10 per day in the case of the chief justice or any judge of the court, \$7 per day in the case of commissioners, and \$5 per day in the case of stenographers. Retired judges recalled to active duty in Washington or elsewhere shall be entitled to receive the same travel and subsistence expenses as provided for other judges in this Act while absent from their actual places of residence. The expenses of travel and subsistence herein authorized shall be paid upon order of the court."

Approved, October 16, 1941.

[CHAPTER 444]

AN ACT

To authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Company.

October 16, 1941

[S. 1345]

[Public Law 273]

Hawaii.
Conveyance of certain lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell and convey to the Honolulu Plantation Company, a corporation organized and existing under the laws of the State of California, upon such terms and conditions as he deems advisable, but at not less than the appraised value, the remaining portion of the Makalapa Military Reservation, consisting of five lots, designated as lots "A", "B", "C", "D", and "E", having an aggregate area of seven and fifty-two one-hundredths acres, situated near the city of Honolulu, in Halawa, Ewa District, on the island of Oahu, Territory of Hawaii, the net proceeds of such sale to be deposited in the Treasury to the credit of miscellaneous receipts.

Approved, October 16, 1941.